

CHARLES A. COULSON.

JUNE 16, 1910.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. PRINCE, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 8622.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 8622) to place the name of Charles A. Coulson upon the muster-roll of Company H, Twenty-first Regiment Missouri Volunteer Infantry, having considered the same, report thereon with a recommendation that it be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, Charles A. Coulson shall be held and considered to have been mustered as a private in Company H, Twenty-first Regiment Missouri Volunteer Infantry, on February twenty-eighth eighteen hundred and sixty-two, and to have been discharged honorably from the military service of the United States as a member of said company and regiment on the first day of October eighteen hundred and sixty-two: *Provided,* That, other than as above set forth, no bounty, pay, pension, or other emolument shall accrue prior to or by reason of the passage of this act.

Amend the title so as to read: "A bill for the relief of Charles A. Coulson."

As thus amended, the committee recommend that the bill do pass.

The evidence in this case clearly shows that this soldier served as alleged and was captured by the enemy and treated in hospital.

The evidence and report from the War Department are hereto attached and made a part of this report.

APPLICATION FOR MUSTER INTO THE UNITED STATES ARMY OF CHARLES A. COULSON,
LATE PRIVATE OF COMPANY H, TWENTY-FIRST MISSOURI INFANTRY VOLUNTEERS.

STATE OF MISSOURI, *City of St. Louis*, ss:

On this 20th day of January, A. D. 1910, personally appeared before me, a notary public within and for the city and State aforesaid, Charles C. Coulson, aged 64 years, and who, being by me duly sworn according to law, makes the following declaration

for the purpose of being mustered into the military service of the United States as a member of Company H, Twenty-first Missouri Infantry Volunteers, of which he was a member during the late war of the rebellion from 1861 to 1865:

That he enlisted at Hannibal, Mo., during the month of February, 1862, and was sworn into the service by the captain of Company K of that regiment, Frederick Lesser, who got my father's permission for me to go into the army, whose affidavit is in Washington; and I was finally assigned to Company H of the Twenty-first Missouri Infantry Volunteers. I left with my company and regiment and went south and took part in the engagement at the battle of Shiloh, Tenn., on the 6th day of April, 1862, and while in that battle I was wounded three times, as follows:

First, by a gunshot wound of the left leg just below the knee; second, by a saber cut in the left side below the arm; third, by a gunshot wound of the right leg below the knee.

And during the said engagement I was captured by the enemy and held as a prisoner of war until June —, 1862, and that during the said confinement as a prisoner of war I contracted chronic diarrhea, piles, and typhoid pneumonia, and upon my being exchanged or released as a prisoner I was placed in the Meredith Hospital at Nashville, Tenn., and after being there for some time I was placed in the convalescent camp where I soon recovered and rejoined my regiment, but did not do any duty to amount to anything, and in the month of October, 1862, I was discharged at Chewalla, Tenn., and received transportation as far as St. Louis, Mo.

Affiant further states: I received a discharge or what I supposed was a discharge, which afterwards was consumed by fire. I made an application for a pension under the act of July 14, 1862, No. 755963, which stands rejected on the ground that my name is not found on the rolls of Company H, Twenty-first Missouri Infantry Volunteers.

I have furnished to the Pension Bureau the testimony of Frederick Lesser (now deceased), who was the one who swore me into service.

Henry Kluismeir, who was a member of Company K, the aforesaid organization, showing that I rendered the service I allege; Seth C. Langdon, Phil Reynolds, of Company H, and William C. Bogener, of Company K, each of whom testify to the above facts.

During the Fifty-second Congress a bill was introduced by the Hon. W. H. Hatch (H. R. 4088) for my relief, and another introduced by the same Congressman in the Fifty-third Congress (H. R. 33411) which did not become a law.

Also affidavit of Jonathan Johnson and others.

In view of the facts as herein set forth, I therefore ask that I be mustered into the United States service as a member of Company H, Twenty-first Missouri Infantry Volunteers, and that my enlistment date from the 10th day of February, 1862, and my discharge date from about the 1st day of October, 1862, in order that I may be placed on the pension rolls of the United States and receive such other pay or bounty that might be due.

The reason I did not receive pay was because I was captured before the paymaster reached our regiment. I was captured and was a prisoner of war at the time he paid the regiment.

I hereby appoint Mrs. Rosa Becker my true and lawful attorney to prosecute this claim, and state that my residence and post-office address is 1347 Bayard avenue, St. Louis, Mo., and my certificate number is 755923.

CHARLES A. COULSON.

Witnessed by—

L. C. WILDERMAN.

C. P. VALENTINE.

Subscribed and sworn to before me this 20th day of January, A. D. 1910.
My commission expires on the 5th day of March, A. D. 1912.

[SEAL.]

ELLA V. BECKER,
Notary Public.

GENERAL AFFIDAVITS.

STATE OF MISSOURI, *City of St. Louis*, ss:

In the matter of Charles A. Coulson, Company H, Twenty-first Regiment Missouri Infantry Volunteers. No. of claim, 755923.

On this 21st day of March, A. D. 1908, personally appeared before me, a notary public, in and for the aforesaid city, duly authorized to administer oaths, Charles A. Coulson, aged 62 years, a resident of St. Louis, in the State of Missouri, whose post-office address

is 1347 Bayard avenue, St. Louis, Mo., well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case as follows:

I, Charles A. Coulson, do state that I am the only Charles Colson described as a member of Company H, Twenty-first Regiment Missouri Infantry Volunteers, and am positive that Charles Colson, or Charles A. Coltson, that was captured at the battle of Shiloh, Tennessee, April 6, 1862. I am also sure that I am the Charles A. Coltson described as a member of Company H, Twenty-first Regiment Missouri Infantry Volunteers, who was admitted to No. 6 (Meridith) General Hospital, Nashville, Tenn., June 4, 1862, with pneumonia and was sent to the fair grounds June 14, 1862. I am the Colson or Coltson on the record of the War Department; I could not tell who made the mistake when I was enrolled, but am sure I am the only Colson or Coltson in our Company H, Twenty-first Regiment, and there was no one by the name of Coltson or Colson in our company.

Post-office address is 1347 Bayard avenue.

CHARLES A. COULSON.

STATE OF MISSOURI, *City of St. Louis*, ss:

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant, including the words erased and the words added and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

My commission expires December 2, 1909.

[SEAL.]

ROSA BECKER, *Notary Public*.

STATE OF MISSOURI, *County of Lewis*, ss:

In the matter of claim No. 755963, Charles A. Coulson, Company H, Twenty-first Missouri Infantry Volunteers.

On this 9th day of March, 1908, personally appeared before me, a notary public within and for the county and State aforesaid, duly authorized to administer oaths, George T. Wild, aged 68 years, a resident of Canton, county of Lewis, State of Missouri, well known by me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case as follows: That he was well acquainted with said soldier; saw him on the battlefield of Shiloh, Tenn., April 6, 1862; knew him prior to the war and since the war, and knows that he served in Company H, Twenty-first Missouri Infantry Volunteers.

I certify that I am not interested in the prosecution of this case.

My post-office address is Canton, Lewis County, Mo.

GEORGE T. WILD.

STATE OF MISSOURI, *County of Lewis*, ss:

Subscribed and sworn to before me this 9th day of March, 1908; and I hereby certify that I read the contents of the foregoing affidavit to said affiant, including the words erased and the words added, and thoroughly acquainted — with its contents before the same was executed. I further certify that I am in no wise interested in the claim nor concerned in its prosecution, and that said affiant is personally known to me and is a credible person.

[SEAL.]

EDWARD F. HENDERSON,
Notary Public.

My term expires November 16, 1911.

STATE OF MISSOURI, *County of Lewis*, ss:

In the matter of claim No. 755963, Charles A. Coulson, Company H, Twenty-first Missouri Infantry Volunteers.

On this 9th day of March, A. D. 1908, personally appeared before me, a notary public within and for the county and State aforesaid, duly authorized to administer oaths, Louis Hetzler, aged 66 years, a resident of Canton, county of Lewis, State of Missouri, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case as follows: That he was well acquainted with said soldier; saw him on the battlefield of Shiloh, Tenn., April 6, 1862; knew

him prior to the war and since the war, and knows that he served in Company H, Twenty-first Missouri Infantry Volunteers.

I certify that I am not interested in the prosecution of this case.

My post-office address is Canton, Lewis County, Mo.

LOUIS HETZLER.

STATE OF MISSOURI, *County of Lewis, ss:*

Sworn to and subscribed before me this 9th day of March, 1908, and I hereby certify that I read the contents of the foregoing affidavit to said affiant, including the words erased and the words added, and thoroughly acquainted — with its contents before the same was executed. I further certify that I am in no wise interested in the claim nor concerned in its prosecution, and that said affiant is personally known to me and is a credible person.

[SEAL.]

EDWARD F. HENDERSON,
Notary Public.

My term expires November 16, 1911.

Case of Charles A. Coulson, alleged late of Company H, Twenty-first Missouri Volunteer Infantry.

It is shown by the official records that Company H, Twenty-first Missouri Infantry Volunteers, was in process of organization from October 20, 1861, to February 1, 1862, when it was mustered into service at Canton, Mo.

The name Charles A. Coulson, or similar name, has not been found on the rolls, on file in this department, of Company H or of any other company of the Twenty-first Missouri Infantry Volunteers, nor has anything been found of record to show that a man bearing that name was enrolled or mustered in as a member of that company or rendered any service in connection therewith.

The confederate records of federal prisoners of war show, however, that one Charles — Colson, whose organization is stated as Company H, Twenty-first Missouri, was captured at Shiloh, Tenn., April 6, 1862, and that he was paroled at Montgomery, Ala., May 28, 1862.

It is also shown by the medical records that a man named Charles A. Coltson, whose rank and organization are stated as private, Company H, Twenty-first Missouri, was admitted to a federal hospital at Nashville, Tenn., June 4, 1862, suffering with pneumonia, and that he was sent to "fair ground" June 14, 1862.

It is also shown by the records that Company H, Twenty-first Missouri Infantry Volunteers, participated in the battle of Shiloh, Tenn., April 6, 1862, and that it was stationed at various places in Tennessee in the months of April, May, and June of that year.

Applying to this department for a certificate of service, Charles A. Coulson, a resident of La Grange, Mo., testified December 16, 1893, as follows:

"That he is the identical Chas. A. Coulson, late of Co. H, 21st Mo. Inf.; that he enlisted in said service at Hannibal, Mo., Feb. —, 1862, and sworn in by the capt. of the Co. K. I served with said service until Apr. 6, 1862, at Shiloh, Tenn. I was captured by the Confederates and taken to Macon, Ga., prison, where I was held a prisoner until in June, 1862, when I was paroled, and in Sept., 1862, I joined my command. I was in hospitals at Nashville, Tenn. (Franklin Hospital), under treatment for diarrhoea. I was discharged at Chewalla, Tenn., Oct., 1862, was given a certificate authorizing my release, and was furnished transportation to St. Louis, Mo."

A careful examination of the official records on file in the War Department has resulted in failure to discover any additional information concerning the Charles Colson who was captured at Shiloh, or the Charles A. Coltson who was treated in hospital in June, 1862, and in the absence of any record showing that a man bearing either of those names, or a similar name, enlisted, was mustered in, or rendered service in that organization, the department has been constrained to deny the application for recognition of Charles A. Coulson as having been in the military service of the United States as a member of the company and regiment in question.

It is uniformly held by the War Department that testimony, no matter how strong or direct, can not be accepted as a basis upon which to establish a record of service. The department is merely the custodian of the records in its possession, and if they fail to show that any particular person was in the military service, it has no authority to alter or amend those records so as to make them show that such person was in the service. In other words, the department has no lawful authority to make a record

which might have been made, or possibly should have been made years ago, but which actually was not made. It will be seen, therefore, that the case of this soldier is one in which the War Department is powerless to extend any relief under existing law.

Respectfully submitted.

F. C. AINSWORTH,
The Adjutant-General.

WAR DEPARTMENT,
THE ADJUTANT-GENERAL'S OFFICE,
January 23, 1909.
The SECRETARY OF WAR.



